

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**PAUL MILLER,**

**Plaintiff,**

**Case No. 3:11-CV-430**

**Judge Thomas M. Rose**

**-v-**

**TRANSFREIGHT, LLC and  
BRETT PROPERTIES NO. 1, LLC,**

**Defendants.**

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**HEARING NOTICE**

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On March 23, 2012, this Court required Transfreight, LLC (“Transfreight”) and Brett Properties No. 1, LLC (“Brett”) to inform the Court not later than March 30, 2012, as to whether they are corporations or unincorporated entities and, if either are unincorporated entities, the citizenship of each partner or member.

Both Transfreight and Brett elected to file Corporate Disclosure Statements<sup>1</sup> in response. However, neither of the Corporate Disclosure Statements are responsive to this Court’s Order. Transfreight’s Corporate Disclosure Statement indicates that TF, USA, Inc. is its sole member but the Corporate Disclosure Statement does not indicate the citizenship of TF, USA, Inc. Also, Brett’s Corporate Disclosure Statement indicates that Brett is not a parent, subsidiary or other affiliate corporation but the Corporate Disclosure Statement does not indicate whether Brett is incorporated or unincorporated. If unincorporated, the Corporate Disclosure Statement does not

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<sup>1</sup>Corporate Disclosure statements are used by judges to determine financial interests for disqualification purposes and are not used for determining the type of corporate entity or its members or partners for diversity citizenship purposes.

indicate the names and citizenship of Brett's partners or members.

Therefore, the Court will conduct a hearing on Tuesday, April 17, 2012, in Courtroom #2 of the Federal Building in Dayton, Ohio beginning at 10:00 a.m. to determine the citizenship of Transfreight's member and the names and citizenships of Brett's members. Should this information be provided before the scheduled hearing, the scheduled hearing will be cancelled.

**DONE** and **ORDERED** in Dayton, Ohio this Second Day of April, 2012.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record